

Attorney Docket No. 3877 P 009

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
John Hassard and Ed McKigney

Application No.: 10/520,303
Confirmation No.: 9846
U.S. Filing Date: January 5, 2005

Examiner:

Art Unit:

International Application No.: PCT/GB03/002926
International Application Filing Date: July 8, 2003
Priority Date Claimed: July 8, 2002

For: Material Separation Device

RECEIVED

7 JUN 2005

**RESPONSE TO NOTIFICATION OF MISSING
REQUIREMENTS UNDER 35 U.S.C. § 371**

Legal Staff
International Division

Mail Stop PCT
Attention: DO/US
Commissioner For Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. § 1.494. A copy of the "Notification Of Missing Requirements Under 35 U.S.C. § 371" dated April 12, 2005 is enclosed. No original Declaration or Oath was filed. Enclosed are copies of the original Declaration and the original Power of Attorney by Assignee and Certification Under 37 C.F.R. § 3.73(b) for this Application.

The proceedings herein are for a patent Application. The provisions of 37 C.F.R. § 1.136(a) apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

The Commissioner is hereby authorized to charge any additional fees to Deposit Account No. 23-0280. A duplicate copy of this Response is enclosed for that purpose.


Respectfully submitted,

Dated: 26 April 2005By: 

Roger H. Stein, Reg. No. 31,882
Wallenstein Wagner & Rockey, Ltd.
311 South Wacker Drive, 53rd Floor
Chicago, Illinois 60606-6630
312.554.3300

Certification Under 37 C.F.R. § 1.10

I hereby certify that this document is being deposited with the United States Postal Service as first class mail, with postage prepaid, in an envelope addressed to: Mail Stop PCT, Attention: DO/US, Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on April 27, 2005.


Kathleen Rundquist/223800



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/520,303	John Hassard	3877 P 009

INTERNATIONAL APPLICATION NO.

PCT/GB03/02926

IA. FILING DATE

PRIORITY DATE

07/08/2003

07/08/2002

23425
 KENNTH E CALLAHAN
 377 ABW/JAN
 2251 MAXWELL SE
 KIRTLAND AFB, NM 87117

CONFIRMATION NO. 9846

371 FORMALITIES LETTER

OC000000015711700

OC000000015711700

Date Mailed: 04/12/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/05/2005
- Copy of the International Search Report filed on 01/05/2005
- Preliminary Amendments filed on 01/05/2005
- Information Disclosure Statements filed on 01/05/2005
- U.S. Basic National Fees filed on 01/05/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,303	PCT/GB03/02926	3877 P 009

FORM PCT/DO/EO/905 (371 Formalities Notice)